


Please type a plus sign (+) inside this box → 22388 U.S. PTO  
10/647740  
08/25/03

|                                                                                                                                     |                        |                                 |
|-------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------------------------|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><br><i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i> | Attorney Docket No.    | 070050.2458                     |
|                                                                                                                                     | First Inventor         | Modak                           |
|                                                                                                                                     | Title                  | TRICLOSAN-CONTAI * see attached |
|                                                                                                                                     | Express Mail Label No. | EV 343 637 985 US               |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>APPLICATION ELEMENTS</b><br><i>See MPEP chapter 600 concerning utility patent application contents.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>ADDRESS TO:</b> Commissioner for Patents<br>PO Box 1450<br>Alexandria, VA 22313-1450                                                                                                                                                                                                                                                                                                                                                                                                     |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br><i>(Submit an original and a duplicate for fee processing)</i><br>2. <input type="checkbox"/> Applicant claims small entity status.<br>See 37 CFR 1.27.<br>3. <input checked="" type="checkbox"/> Specification [Total Pages <b>49</b> ]<br><i>(preferred arrangement set forth below)</i><br>- Descriptive title of the invention<br>- Cross Reference to Related Applications<br>- Statement Regarding Fed sponsored R & D<br>- Reference to sequence listing, a table,<br>or a computer program listing appendix<br>- Background of the Invention<br>- Brief Summary of the Invention<br>- Brief Description of the Drawings (if filed)<br>- Detailed Description<br><input checked="" type="checkbox"/> Claim(s) [Total Sheets <b>6</b> ]<br><input checked="" type="checkbox"/> Abstract of the Disclosure [Total Sheets <b>1</b> ]<br>4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <b>1</b> ]<br>5. Oath or Declaration [Total Pages <b>4</b> ]<br>a. <input type="checkbox"/> Newly executed (original or copy)<br>Copy from a prior application (37 CFR 1.63 (d))<br>b. <input checked="" type="checkbox"/> (for continuation/divisional with Box 18 completed)<br>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br>Signed statement attached deleting inventor(s)<br>named in the prior application, see 37 CFR<br>1.63(d)(2) and 1.33(b).<br>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or<br>Computer Program (Appendix)<br>8. Nucleotide and/or Amino Acid Sequence Submission<br><i>(if applicable, all necessary)</i><br>a. <input type="checkbox"/> Computer Readable Form (CRF)<br>b. Specification Sequence Listing on:<br>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or<br>ii. <input type="checkbox"/> paper<br>c. <input type="checkbox"/> Statements verifying identity of above copies |
| <b>ACCOMPANYING APPLICATION PARTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))<br>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of<br><i>(when there is an assignee)</i> Attorney<br>11. <input type="checkbox"/> English Translation Document (if applicable)<br>12. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS<br>Statement (IDS)/PTO-1449 Citations<br>13. <input checked="" type="checkbox"/> Preliminary Amendment<br>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br><i>(Should be specifically itemized)</i><br>15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br><i>(if foreign priority is claimed)</i><br>16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122<br>(b)(2)(B)(i). Applicant must attach form PTO/SB/35<br>or its equivalent.<br>17. <input type="checkbox"/> Other:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

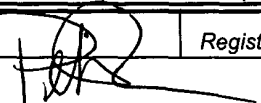
of prior application No.: 09/618,432

Prior application information: Examiner Kennedy, Sharon E.

Group Art Unit: 3762

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

|                                                                       |  |                                                                                                                                                               |  |          |
|-----------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------|
| <b>19. CORRESPONDENCE ADDRESS</b>                                     |  |                                                                                                                                                               |  |          |
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label |  | <div style="border: 1px solid black; padding: 2px; text-align: center;"> <b>241003</b><br/> <i>(Insert Customer No. or Attach bar code label here)</i> </div> |  |          |
| <input type="checkbox"/> Correspondence address below                 |  |                                                                                                                                                               |  |          |
| Name                                                                  |  |                                                                                                                                                               |  |          |
| Address                                                               |  |                                                                                                                                                               |  |          |
| City                                                                  |  | State                                                                                                                                                         |  | Zip Code |
| Country                                                               |  | Telephone                                                                                                                                                     |  | Fax      |

|                   |                                                                                     |                                   |         |
|-------------------|-------------------------------------------------------------------------------------|-----------------------------------|---------|
| Name (Print/Type) | Peter J. Shen                                                                       | Registration No. (Attorney/Agent) | 52,217  |
| Signature         |  | Date                              | 8/25/03 |

08/25/03

1743 U.S. PTO

BAKER BOTTS LLP

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 750)

## Complete if Known

|                      |                    |
|----------------------|--------------------|
| Application Number   | Not yet assigned   |
| Filing Date          | August 25, 2003    |
| First Named Inventor | Modak              |
| Examiner Name        | Kennedy, Sharon E. |
| Art Unit             | 3762               |
| Attorney Docket No.  | 070050.2458        |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

 Deposit Account Number  
 Deposit Account Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 750                   | 2001 375                   | Utility filing fee     | 750      |
| 1002 330                   | 2002 165                   | Design filing fee      |          |
| 1003 520                   | 2003 260                   | Plant filing fee       |          |
| 1004 750                   | 2004 375                   | Reissue filing fee     |          |
| 1005 160                   | 2005 80                    | Provisional filing fee |          |

SUBTOTAL (1) (\$ 750)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 1                  | - 20 = 0     | X              | 0        |
| 1                  | - 3 = 0      | X              | 0        |
| Multiple Dependent |              |                |          |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description                                            |
|----------------------------|----------------------------|------------------------------------------------------------|
| 1202 18                    | 2202 9                     | Claims in excess of 20                                     |
| 1201 84                    | 2201 42                    | Independent claims in excess of 3                          |
| 1203 280                   | 2203 140                   | Multiple dependent claim, if not paid                      |
| 1204 84                    | 2204 42                    | ** Reissue independent claims over original patent         |
| 1205 18                    | 2205 9                     | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description                                                            | Fee Paid |
|----------------------------|----------------------------|----------------------------------------------------------------------------|----------|
| 1051 130                   | 2051 65                    | Surcharge - late filing fee or oath                                        |          |
| 1052 50                    | 2052 25                    | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                   | 1053 130                   | Non-English specification                                                  |          |
| 1812 2,520                 | 1812 2,520                 | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804 920*                  | 1804 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*                | 1805 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                   | 2251 55                    | Extension for reply within first month                                     |          |
| 1252 410                   | 2252 205                   | Extension for reply within second month                                    |          |
| 1253 930                   | 2253 465                   | Extension for reply within third month                                     |          |
| 1254 1,450                 | 2254 725                   | Extension for reply within fourth month                                    |          |
| 1255 1,970                 | 2255 985                   | Extension for reply within fifth month                                     |          |
| 1401 320                   | 2401 160                   | Notice of Appeal                                                           |          |
| 1402 320                   | 2402 160                   | Filing a brief in support of an appeal                                     |          |
| 1403 280                   | 2403 140                   | Request for oral hearing                                                   |          |
| 1451 1,510                 | 1451 1,510                 | Petition to institute a public use proceeding                              |          |
| 1452 110                   | 2452 55                    | Petition to revive - unavoidable                                           |          |
| 1453 1,300                 | 2453 650                   | Petition to revive - unintentional                                         |          |
| 1501 1,300                 | 2501 650                   | Utility issue fee (or reissue)                                             |          |
| 1502 470                   | 2502 235                   | Design issue fee                                                           |          |
| 1503 630                   | 2503 315                   | Plant issue fee                                                            |          |
| 1460 130                   | 1460 130                   | Petitions to the Commissioner                                              |          |
| 1807 50                    | 1807 50                    | Processing fee under 37 CFR 1.17(q)                                        |          |
| 1806 180                   | 1806 180                   | Submission of Information Disclosure Stmt                                  |          |
| 8021 40                    | 8021 40                    | Recording each patent assignment per property (times number of properties) |          |
| 1809 750                   | 2809 375                   | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 750                   | 2810 375                   | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 750                   | 2801 375                   | Request for Continued Examination (RCE)                                    |          |
| 1802 900                   | 1802 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

## SUBMITTED BY

Name (Print/Type) Peter J. Shen

Signature

Registration No. (Attorney/Agent)

52,217

(Complete if applicable)

Telephone 212-408-2595

Date

8/25/03

Addendum Sheet 1

\*Question 4 Addendum

4.a. Drawings are ☐ formal ☐ informal

\* Question 5 Addendum

5.c. ☐ An unsigned oath or declaration is included.

\* Question 8 Addendum

8.d. ☐ A sequence submission will follow.

\* Question 9 Addendum

9.a. ☐ Assignment documents will follow.

9.b. ☒ Assignment documents have been filed in  
parent application No. 09/618,432

\* Question 11 Addendum

11.a. ☐ English translation will follow.

\* Question 12 Addendum

12.a. ☐ Copies of IDS citations will follow.

\* Question 15 Addendum

15.a. ☐ Certified copies of priority documents will follow.

15.b. ☐ Certified copies of priority documents have been filed in parent  
application No.

Use the space below for additional information

Inventors:

Shanta M. Modak

Lester A. Sampath

Title (continued):

TRICLOSAN-CONTAINING MEDICAL DEVICES

## Addendum Sheet 2

18a. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/618,432  
 Prior application information: Examiner Kennedy, Sharon E. Group Art Unit: 3762

18b. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_  
 Prior application information: Examiner \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

18c. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_  
 Prior application information: Examiner \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

☒ Amend the specification by inserting before the first line the sentence(s)

☐ "This application is a ☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

Application 09/618,432

☐ "This application is based upon:

prior application No.:

, incorporated by reference herein,

☒ which is a ☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of: Application 09/101,126

now U.S. Patent No. 6,106,505

☐ which is based upon:

prior application No.

, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☒ which is based upon:

prior application No.: 371 of PCT/US96/20932

, incorporated by reference herein,

☒ which is a ☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of: Application 08/583,239

now U.S. Patent No. 5,772,640

☐ which is based upon:

prior application No.:

, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.

, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.

, incorporated by reference herein

Priority under 35.U.S.C. §119 is claimed based upon the following applications.

Foreign Applications:

Country: \_\_\_\_\_

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Country: \_\_\_\_\_

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Country: \_\_\_\_\_

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Provisional Applications:

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

**CERTIFICATION UNDER 37 C.F.R. 1.8(a) OR 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory; Express Mail Certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

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- ☒ deposited with the United States Postal Service in an envelope addressed to the  
Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

**37 C.F.R. 1.8(a)**

- ☐ with sufficient postage as first class mail.

**37 C.F.R. 1.10\***

- ☒ as "Express Mail Post Office to Address"  
Mailing Label No. EV 343 637 985 US (mandatory)

*Jamie Zpote*  
Signature

Date: August 25, 2003

LOUIS LAFFITTE  
(type or print name of person certifying)

**\*WARNING:** Each paper of fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing 37 C.F.R. 1.10(b).  
"Since the filing of correspondence under § 1.10 without the Express Mail label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition. "Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.